

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mike Downs on 6/13/2008.

Claim 2 has been amended as follows:

2. (CURRENTLY AMENDED) A method for facilitating the purchase of fractional lottery tickets using a point-of-sale terminal, comprising:

using a point-of-sale terminal to determine a monetary value based on an amount of change due for a purchase ~~determining a monetary value;~~

allocating a portion of a ticket, the portion being based on the monetary value,

in which the ticket is associated with a predetermined price, and

in which the predetermined price is greater than the monetary value;

outputting a ticket identifier that identifies the ticket and a portion identifier that identifies the allocated portion of the ticket; and

storing the ticket identifier and the portion identifier,

~~in which the step of determining a monetary value comprises:~~
~~determining a monetary value based on an amount of change due for a~~
~~purchase.~~

Allowable Subject Matter

2. Claims 2-5, 7-10, 14-16, 18-20, 37-52 are allowed.

Reasons for Allowance

3. Claims 2-5, 7-10, 14-16, 18-20, 37-52 are considered allowable over the cited art because the claimed invention includes the features of:

Determining a value based on change due and allocating a portion of a lottery ticket based on the value where the portion is less than the price of the full ticket and where the ticket portion includes a portion identifier. These features are not taught or suggested given the closest prior art of. These features are found in each of the independent claims 2 and 7. The closest prior art is Roberts which is a system to buy lottery tickets at a POS and which tracks the tickets by way of identifiers. And although known lottery systems such as the German lottery allow for purchase of less than full portions of a lottery ticket, the art does not suggest offering a lottery ticket portion based upon the consumer's change due.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey D. Carlson whose telephone number is 571-272-6716. The examiner can normally be reached on Monday-Fridays; off alternate Fridays.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric Stamber can be reached on (571)272-6724. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jeffrey D. Carlson/
Primary Examiner, Art Unit 3622

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